



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DECLASSIFIED BY ~~CONFIDENTIAL~~ AGENCY

07/526,797 05/02/90 SMITH

T 39-62

STANLEY C. SPOONER
NIXON & VANDERHYE
2200 CLARENDON BLVD., 14TH FL.
ARLINGTON, VA 22201

BENTLEY, S

221

04/02/91

☐ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A ~~proper~~ statutory period for response to this action is set to expire SIX month(s), ~~from~~ from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-9 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☐ Claims _____ are rejected.
5. ☐ Claims _____ are objected to.
6. ☒ Claims 1-9 are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

DECLASSIFIED BY ~~CONFIDENTIAL~~ AGENCY

FOREIGN GOVERNMENT
INFORMATION

DECLASSIFIED BY ~~CONFIDENTIAL~~ AGENCY

EXAMINER'S ACTION

Art Unit 221

~~CONFIDENTIAL~~
DEPARTMENT OF COMMERCE
BUREAU OF PATENTS

(v)

1. In view of applicant's claim for foreign priority, applicant's attention is directed to MPEP Section 2001.06(a). To assure adequate consideration of any material prior art or other information brought to applicant's attention in the priority or any related application, applicant is requested to submit copies of any such information during the period set for response to this action. Translations of non-English language documents should be provided, if available.

(c)

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-4, drawn to a fuel control system for reheat burners, classified in Class 60, subclass 261.

II. Claims 5-6, drawn to a valve for regulating pressure, classified in Class 137, subclass 82.

III. Claims 7-8, drawn to a metering valve, classified in Class 251, subclass 12.

IV. Claim 9, drawn to a fuel supply system for a gas turbine, classified in Class 60, subclass 39.094.

(v)

3. The inventions are distinct, each from the other because of the following reasons:

Inventions I-III and IV are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In the instant case, invention of each group has utility such as individually in any of various commercial and military turbines. See MPEP 806.05(d).

(v)

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art

~~CONFIDENTIAL~~
DEPARTMENT OF COMMERCE
BUREAU OF PATENTS

~~DECLASSIFIED BY 60322/UC/AG/MS/STW/AGENCY~~
CONFIDENTIAL
~~DECLASSIFIED BY 60322/UC/AG/MS/STW/AGENCY~~

Art Unit 221

because of their divergent subject matter, divergent classifications and divergent fields of search restriction for examination purposes as indicated is proper.

(U)

5. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103 of every other invention.

(U)

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Bentley whose telephone number is (703) 308-0499. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0511.

Bentley/03-20-91

Stephen C. Bentley

STEPHEN C. BENTLEY
EXAMINER
GROUP ART UNIT 221

~~DECLASSIFIED BY 60322/UC/AG/MS/STW/AGENCY~~
CONFIDENTIAL
~~DECLASSIFIED BY 60322/UC/AG/MS/STW/AGENCY~~